

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GERALD REVIELLO	:	CIVIL ACTION
	:	NO. 12-508
v.	:	
	:	
PHILADELPHIA FEDERAL CREDIT	:	
UNION	:	

ORDER

AND NOW, this 14th day of June, 2012, after consideration of defendant Philadelphia Federal Credit Union's Motion to Dismiss the Complaint of plaintiff Gerald Reviello and plaintiff's response, it is ORDERED that:

- (1) Philadelphia Federal Credit Union's motion to dismiss Gerald Reviello's EFTA claim is GRANTED. Plaintiff's EFTA claim is DISMISSED.
- (2) Philadelphia Federal Credit Union's motion to dismiss Gerald Reviello's ADA claim is GRANTED. Plaintiff's ADA claim is DISMISSED.

Plaintiff is granted leave to file an amended complaint asserting a claim under the ADA within 14 days of the date of this Order to the extent that he is able to allege sufficient facts to establish that he has standing and further that he was deprived the "full and equal enjoyment" of defendant's ATM.
- (3) Gerald Reviello's motion to strike allegations in defendant's motion to dismiss is DENIED as moot.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.